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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/577,747	04/27/2006	Ioan Ghergheli	113601-0184	2810

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EXAMINER

BLANKENSHIP, GREGORY A

ART UNIT	PAPER NUMBER
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3612

NOTIFICATION DATE	DELIVERY MODE
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03/27/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/577,747	Applicant(s) GHERGHELI ET AL.	
	Examiner GREGORY BLANKENSHIP	Art Unit 3612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/27/2006</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

1. Claim 8 is objected to because of the following informalities:

Claim 8, line 6, “assemble” should be —assembly--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9 is not clearly understood because it could mean the stadium/slide seat system can be mounted on either side of the seat, the seat can be operated from either the front side of the seat or the rear side of the seat, or that a single stadium/slide seat system has a control lever on both the left side and the right side of the seat. The examiner has read the limitation meaning the seat device can be operated from either the front or rear, as described in paragraph [0040].

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Yokota (6,059,345).

Yokota discloses a van-type vehicle having a front row of seats and at least one row of back seats. The back seats are the second row of seats. The back seats (S) are coupled to the vehicle in seat track (1) and have a vehicle stadium/slide seat system. Each back seat (S) has a seat cushion (SC) and a seat back (SB). The seat can be moved to facilitate vehicle ingress and egress by manipulating a flip-forward mechanism (31,32) associated with at least one of the back seats (S). The entire seat, including the cushion (SC), is rotated forward, as shown in Figure 2. The seat (S) can move along the seat track (1) to a pre-selected position, as shown in Figure 3. In reference to claim 2, the pre-selected is a forward, easy-entry position shown in Figure 3. In reference to claim 3, the seat is locked in the pre-selected position by lock mechanism (26,16A,16B), as described on lines 61 of column 5 through 24 of column 6. In reference to claim 4, the back seat is coupled to the vehicle by a seat track (1). The back seat (S) has a seat cushion (SC) and a seat back (SB). The seat back (SB) is rotated to a position adjacent to the seat cushion (SC) after manipulating a stow lever associated with the seat (S), as disclosed on lines 2-4 of column 4 and shown in Figure 2. While the stow lever is not specifically mentioned, it is inherent since there must be a locking mechanism and a release mechanism to allow the seat back to maintain its position in a crash while allowing a user to adjust the position of the seat back relative to the seat cushion as shown in Figures 2 and 3. In reference to claim 5, the seat back (SB) can be rotated to a design position, the upright position, shown in Figure 1. In reference to claim 6, the seat can be moved along a track to a pre-selected position, as shown in Figure 3. In reference to claim 7, the seat can be locked in the pre-selected position by lock mechanism (26,16A,16B), as described on lines 61 of column 5 through 24 of column 6. In reference to claim 8, the vehicle seat (S) is coupled to the vehicle by a seat track (1) and the seat (S) has a seat cushion (SC) and a seat

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back (SB). The seat has a flip-forward mechanism comprising a linkage assembly (2) coupled to the seat track (1). A seat bracket (32) is coupled to the linkage assembly (2) and the seat cushion (SC), as shown in Figure 1. An easy-entry lever (26A) is coupled to the linkage assembly (2) and is configured to release a track engagement device (26,16A,16B) coupled to the linkage assembly (2), as shown in Figure 1. The vehicle seat (S) can be moved to one of a design position, Figure 2, and an easy-entry position, Figure 3. The seat back can rotate to an upright, design position and a stowed position adjacent to the seat cushion, as shown in 3. While the stow lever is not specifically mentioned, it is inherent since there must be a locking mechanism and a release mechanism to allow the seat back to maintain its position in a crash while allowing a user to adjust the position of the seat back relative to the seat cushion as shown in Figures 2 and 3. In reference to claim 9, the seat is configured to operate from either the front or the rear of the seat since the both the lock that prevents pivoting (31) and the lock that prevents sliding (26,16A,16b) are located in a position that is accessible from both the front of the seat and the rear of the seat, as shown in Figure 3. In reference to claim 10, the locking device (26,16A,16B) locks the seat (S) in a position along the seat track.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GREGORY BLANKENSHIP whose telephone number is (571)272-6656.

The examiner can normally be reached on 7-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on 571-272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

gab

March 18, 2008

/Greg Blankenship/

Examiner, Art Unit 3612